

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Isador H. Liberman**Application No.: **10/540,381** Filed: **June 23, 2005**Group Art Unit: **3733** Examiner: **Pedro Philogene**Confirmation No.: **2535**For: **APPARATUS FOR CUTTING BONE**

CERTIFICATE OF EFS SUBMISSION (37 C.F.R. § 1.8(a)(i)(1)(C))

I hereby certify that on February 3, 2009, the following correspondence:

Name of Paper: **Request for Continued Examination**Number of Pages: **4**Fees: **\$405.00** Payment By: **Credit Card**Other: **An executed Preliminary Amendment (14 pgs.)**

is being submitted to the Patent and Trademark Office via the Office Electronic Filing System in accordance with § 1.6(a)(4).

/Anita J. Galo/

Signature

Telephone Number: 216-621-2234Anita J. Galo

Type or print name of person certifying

NOTE: It is advisable to keep a copy of certification of EFS-Web transmission § 1.8), including the list of papers submitted, to establish the local time of the submissions if such evidence is needed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Isador H. Liberman**

Application No.: **10/540,381** Filed: **June 23, 2005**

Group Art Unit: **3733** Examiner: **Pedro Philogene**

Confirmation No.: **2535**

For: **APPARATUS FOR CUTTING BONE**

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)**

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
 - i. Prior to abandonment of the application

ENCLOSURES

3. Enclosed herewith is:
An executed Preliminary Amendment (14 pgs.).

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of small entity (and status is still as small entity).

Continued Prosecution Request Fee: **405.00**

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)		(Col. 3)		SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE		
TOTAL	13	—	20	=	0	x \$ 26.00	= \$	0.00
INDEP.	3	—	3	=	0	x \$ 110.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$ 195.00	= \$		0.00
					TOTAL ADDIT. FEE	\$		0.00

No Additional fees for claims

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this is a conditional petition being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.:

Fee: \$ 0.00

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$405.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$ 0.00
Extension of time fee (Section 1.17(a)(1)-(4))	<u>\$ 0.00</u>

Total Fee(s) Due: **\$405.00**

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Charge Credit Card the sum of \$405.00. (Credit Card Payment Form (PTO-2038) attached).

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 20-0090.

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: February 3, 2009

/Richard S. Wesorick/

Reg. No.: 40,871
Tel. No.: 216-621-2234
Customer No.: 26,294

Signature of Practitioner
Richard S. Wesorick
Tarolli, Sundheim, Covell & Tummino L.L.P.
1300 East Ninth Street, Suite 1700
Cleveland, OH 44114